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Agenda item 9

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Australia*, Austria, Bangladesh, Belgium*, Bulgaria, Chile, Colombia, Cyprus*, Czech Republic, Denmark, El Salvador, Estonia*, Finland*, France, Germany, Greece*, Iceland*, Ireland, Italy, Liechtenstein*, Luxembourg*, Netherlands, New Zealand*, Norway*, Poland*, Portugal*, San Marino*, Slovakia*, Slovenia*, Spain*, Sweden*, Switzerland* and the United Kingdom of Great Britain and Northern Ireland: draft resolution

1997... Strengthening of the Office of the United Nations High Commissioner for Human Rights/Centre for Human Rights

The Commission on Human Rights,

Recalling all relevant resolutions of the General Assembly, the Economic and Social Council and the Commission on Human Rights, in particular Commission resolution 1996/82 and Assembly resolution 51/90, as well as the Vienna Declaration and Programme of Action,

Reaffirming that the promotion and protection of all human rights and fundamental freedoms is a priority objective of the United Nations and the importance that the international community attaches to the activities and programmes of the Office of the High Commissioner/Centre for Human Rights,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Bearing in mind that Article 100 of the Charter of the United Nations states:

"1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

"2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.",

Bearing also in mind that paragraph 3 of Article 101 of the Charter of the United Nations states: "The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.",

1. Welcomes:

(a) And encourages the efforts of the Secretary-General to enhance the role and improve further the functioning of the Centre for Human Rights, as an integral part of the Secretariat of the United Nations, under the overall supervision of the United Nations High Commissioner for Human Rights;

(b) The efforts by the Secretary-General and the United Nations High Commissioner for Human Rights to strengthen human rights activities as well as the information provided by the High Commissioner with regard to the restructuring of the Centre for Human Rights with the aim of increasing the efficiency and effectiveness of the Centre and ensuring that all its mandates can be implemented;

(c) The decision of the Secretary-General to extend a standing invitation to the High Commissioner for Human Rights to the Inter-Agency Standing Committee;

2. Reaffirms the importance of ensuring universality, objectivity and non-selectivity of the consideration of human rights issues, and requests the High Commissioner for Human Rights to continue to ensure that the fulfilment of his mandate and that of the Centre for Human Rights is guided by these principles;

3. Emphasizes:

(a) That the High Commissioner - in pursuance of the task of strengthening, rationalizing and streamlining his Office and the Centre for Human Rights - continue to align the procedures within the Office/Centre for Human Rights with the applicable overall United Nations rules;

(b) That all appointments and recruitments to the Office of the High Commissioner/Centre for Human Rights, including regularization of short-term staff and also including any recruitment made possible by voluntary contributions, should be in accordance with established procedures, inter alia through early dissemination of information on vacancies, on the basis of the principles contained in paragraph 3 of Article 101 of the Charter of the United Nations, and in this regard calls upon the Secretary-General to continue to ensure the application of these principles in the recruitment of personnel in the Office/Centre for Human Rights at all levels;

(c) The importance of providing qualified regular staff to the Office/Centre for Human Rights, adequate to its needs and effective functioning, as well as the need for appropriate utilization of Junior Professional Officers, in a manner consistent with the division of responsibilities within the Office/Centre for Human Rights, and of assigning tasks to Junior Professional Officers that are in line with their status and with Article 100 of the Charter of the United Nations;

4. Notes with concern that earlier requests to increase substantially the resources for the human rights programme have not led to an increase commensurate with the needs of the High Commissioner for Human Rights/Centre for Human Rights and therefore reiterates these requests for an increase of resources from within the existing regular budget of the United Nations;

5. Decides:

(a) To encourage the High Commissioner, within the mandate as set out in General Assembly resolution 48/141, to continue to play an active role in promoting and protecting all human rights, including in the prevention of human rights violations throughout the world, and, in this context, reiterates the need to provide all necessary financial, material and personnel resources to the Office/Centre for Human Rights to enable it to carry out all mandates efficiently, effectively and expeditiously in line with the human rights programme as adopted by the General Assembly;

(b) To reiterate its request to the Secretary-General to provide the human rights programme with all the necessary human, financial and material resources from future regular budgets of the United Nations, and in particular that this be taken into account in the budget for the 1998-1999 biennium;

(c) To request the Secretary-General to continue to do his utmost to increase cooperation and coordination on human rights issues among the various other departments, offices and agencies of the United Nations as well as to ensure the participation of the Office of the High Commissioner/Centre for Human Rights in all mechanisms related to the follow-up to major United Nations conferences;

(d) To invite the High Commissioner for Human Rights to make available to all States, on a regular basis, information on voluntary contributions and their allocation, and to invite all States to all briefing meetings and appeals, including those with States contributing extrabudgetary funds;

(e) To request the High Commissioner to make available on an annual basis a report on the staff of the Office of the High Commissioner/Centre for Human Rights reflecting, inter alia, grade, nationality and gender, including with regard to non-regular staff;

(f) To request the High Commissioner to submit to the Commission at its fifty-fourth session a report on the implementation of the present resolution and to include in this report, inter alia, information on

(i) Voluntary contributions, including their share in the overall budget of the human rights programme and their allocation;

(ii) An assessment of the effectiveness of ongoing field operations;

(g) To consider the question of strengthening the Office of the High Commissioner for Human Rights/Centre for Human Rights at its fifty-fourth session, including measures taken in furtherance of the present resolution.